

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANDRES A. PEREZ, an individual,)	
ALFREDO TREJO, an individual, and)	Case No. 21-cv-00013
JOSE J. NAJERA, an individual,)	
)	
Plaintiffs,)	
)	Honorable Manish S. Shah
v.)	
)	
ELITE VALET SYSTEMS, INC., a dissolved)	
Illinois corporation, and JOSEPH SEVERINO, an)	Magistrate Judge Young B. Kim
individual,)	
Defendants.)	

PLAINTIFFS' MOTION FOR THE AWARD OF ATTORNEY'S FEES

The Plaintiffs, Andres A. Perez, Alfredo Trejo and Jose J. Najera, by and through their attorney, Timothy M. Nolan of the Nolan Law Office, hereby move pursuant to Rule 54 of the Fed. Rule Civil Proc. and Local Rule 54.3 for the entry of an order awarding Plaintiffs' attorney's fees incurred in this matter. In support of their motion, Plaintiffs state as follows:

1. On June 14, 2021, this Court granted Plaintiff's motion for entry of default judgment and entered judgment in Plaintiffs' favor and against both Defendants on Plaintiffs' Complaint for unpaid overtime and other wage violations under the FLSA, IMWL and IWPCA. (Dkt. 17).

2. The FLSA, IMWL and IWPCA provide that, in addition to any judgment awarded, a plaintiff may recover reasonable attorneys' fees and costs. 29 U.S.C. § 216(b) and 820 ILCS § 105/12(a).

3. On July 1, 2021, and in accordance with the Court's Order and Fed. Rule Civil Proc. 54 and Local Rule 54.3, counsel for Plaintiffs provided the Defendants with all information required by Local Rule 54.3 (d)(1-2) including time records on which Plaintiffs' motion for

attorney's fees will be based, and the specification of the hours for which compensation will and will not be sought. Counsel for Plaintiffs also provided his hourly rate and evidence supporting that rate including citations to orders entered by Courts in this District in which the identical rate was awarded to counsel for Plaintiffs in other FLSA matters.

4. Defendants neither agreed to Plaintiffs' fees nor indicated which fees they opposed. In addition, Defendants did not provide any of the information or records required by Local Rule 54.3 (d)(5).

5. Attached hereto as Exhibit A is the Affidavit of Timothy M. Nolan in Support of Plaintiffs' Motion for the Award of Attorney's Fees. Attorney Nolan's Affidavit includes a copy of his firm's Statement for Professional Services issued by the Nolan Law Office in connection with the legal services provided to Plaintiffs in this matter during the period from December 17, 2020 through June 23, 2021 including the itemized specification of hours for which compensation is and is not sought.

6. The Statement for Professional Services and the information contained therein is based on the standard and regular practices of the Nolan Law Office concerning the recording of time of services rendered. (Exh. A, Attorney Nolan Affidavit, at para. 8-9.)

7. Plaintiffs respectfully submit that the attorney's fees charged by the Nolan Law Office in this matter are fair and reasonable and comply with the standard governing the award of fees in FLSA, IMWL and IWPCA litigation matters. All task entries included in the Statement for Professional Services are based on contemporaneous time slip records prepared by the attorney on a daily basis. Further, the Statement for Professional Services contains detailed, itemized information concerning the nature of each legal task performed, the time expended on

each legal task, the identity of the attorney performing the task, and a description of how each task relates to the litigation. (Exh. A, Attorney Nolan Affidavit at para. 8-10.)

8. In addition, the total amount of attorneys' fees incurred in this matter for the six month period between December 17, 2020 and June 23, 2021 is fair and reasonable in light of the volume of work performed on behalf of Plaintiffs. (Exh. A, Attorney Nolan Affidavit at para. 4.)

WHEREFORE, the Plaintiffs, Andres A. Perez, Alfredo Trejo and Jose J. Najera, respectfully request that this Court grant Plaintiffs' Motion for the Award of Attorney's Fees, and enter an Order of Judgment for the following relief:

- A. An award of attorney's fees in favor of the Plaintiffs and against Defendants, Elite Valet Systems, Inc. and Joseph Severino in the amount of \$26,550.00; and
- B. For such other and further relief as this Court deems just and reasonable.

Dated: September 8, 2021

Respectfully submitted,

Andres A. Perez, Alfredo Trejo and
Jose J. Najera,
Plaintiffs

/s/ Timothy M. Nolan

Attorney for the Plaintiffs

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CERTIFICATE OF SERVICE

I, Timothy M. Nolan, an attorney, do hereby certify that I have caused a true and correct copy of the foregoing Plaintiffs' Motion for the Award of Attorney's Fees to be served upon the following via the CM/ECF System before the hour of 3:00 p.m. on September 8, 2021:

Fariz M. Burhanuddin
Caputo & Popovic, P.C.
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/s/ Timothy M. Nolan

Timothy M. Nolan